

REMARKS

The present amendment is responsive to the Non-Final Office Action mailed in the above-referenced case on September 26, 2006. In the action the Examiner is presenting new grounds of rejection, rendering applicant's previous arguments moot in reference to the new grounds.

In the present non-Final action claims 12-17 and 19-23 are rejected under 35 U.S.C. 103(a) as being anticipated by Lavian (US 6,170,015) hereinafter Lavian, in view of Bharat (US 6810395) hereinafter Bharat. Further claim 18 is rejected under 35 U.S.C. 103(a) as unpatentable over Lavian and Bharat in view of Gerzberg et al. (US 6044403) hereinafter Gerzberg.

The applicant has carefully studied the new grounds of rejection and the references applied. The applicant has determined that the art relied upon in both references Lavian and Bharat relates to the actual limitations of the claims only semantically. It seems the Examiner is relying on art as teaching limitations in the claims simply because certain *words* from the claims appear in the references, such as *Java* and *Query*.

Accordingly the applicant has cancelled the standing claims, and has crafted a new set of claims 36-54, carefully staying within the elected client-side software subject matter of the restriction requirement previously imposed, and reciting the invention in a much more positive and clear manner. The essential elements of the software, as previously claimed in claim 12, these being elements of software operating on the client device in communicating with a network-based information source, and how the software operates relative to the source and in presenting to the user information from the source.

The new claims are within the elected subject matter, and appear to the applicant to be patentable over the art cited and thus-far applied. The applicant therefore urges the examiner to do whatever search might be necessary, and to either reject the claims, carefully relying on art that teaches the actual limitations recited in the claims, or to allow the claims and to send the case quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Jonathan Wu

By Donald R Boys
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755